

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 326 be amended to read as follows:

- 1 Page 2, between lines 3 and 4, begin a new paragraph and insert:
2 "SECTION 48. IC 20-10.1-2-1 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) A school year is
4 the period of time beginning after June 30 of each year and ending
5 before July 1 of the following year, except when a different period is
6 specified for a particular purpose.
7 (b) A student instructional day in grades 1 through 6 consists of a
8 minimum of five (5) hours of instructional time. A student instructional
9 day in grades 7 through 12 consists of a minimum of six (6) hours of
10 instructional time. For purposes of this section, instructional time is
11 time in which students are participating in an approved course,
12 curriculum, or educationally related activity under the direction of a
13 teacher, including a reasonable amount of passing time between classes.
14 However, instructional time does not include lunch or recess.
15 (c) ~~For the 1987-88 school year, each school corporation shall~~
16 ~~conduct at least one hundred seventy-five (175) student instructional~~
17 ~~days.~~ For the 1988-89 school year and each school year after that, each
18 school corporation shall conduct at least one hundred eighty (180)
19 student instructional days. No later than June 15 of each school year,
20 the superintendent of each school corporation shall certify to the
21 department the number of student instructional days conducted during
22 that school year.
23 (d) If a school corporation fails to conduct the minimum number of
24 student instructional days during a school year as required under
25 subsection (c), the department shall reduce the August tuition support

distribution to that school corporation by an amount determined as follows:

(1) For the 1987-88 school year, the amount determined under STEP THREE of the following formula:

STEP ONE: Divide the amount of the total tuition support allocated to the school corporation for the 1987-88 school year by one hundred seventy-five (175):

STEP TWO: Subtract the number of student instructional days that the school corporation conducted from one hundred seventy-five (175):

STEP THREE: Multiply the amount determined under STEP ONE by the amount determined under STEP TWO:

(2) For the 1988-89 school year and each school year after that, the amount determined under STEP NINE of the following formula:

STEP ONE: Determine the remainder of:

(A) the amount of the total tuition support allocated to the school corporation for the particular school year; minus

(B) that part of the total tuition support allocated to the school corporation for that school year with respect to student instructional days one hundred seventy-six (176) through one hundred eighty (180).

STEP TWO: Subtract the number of student instructional days that the school corporation conducted from one hundred eighty (180).

STEP THREE: Determine the lesser of five (5) or the remainder determined under STEP TWO.

STEP FOUR: Divide the amount subtracted under STEP ONE(B) by five (5).

STEP FIVE: Multiply the quotient determined under STEP FOUR by the number determined under STEP THREE.

STEP SIX: Subtract the number determined under STEP THREE from the remainder determined under STEP TWO.

STEP SEVEN: Divide the remainder determined under STEP ONE by one hundred seventy-five (175).

STEP EIGHT: Multiply the quotient determined under STEP SEVEN by the remainder determined under STEP SIX.

STEP NINE: Add the product determined under STEP FIVE to the product determined under STEP EIGHT.

(e) The department may grant a waiver of the penalty imposed under subsection (d) for a particular number of ~~cancelled canceled~~ student instructional days if:

(1) the school corporation applies to the department for a waiver of the penalty imposed under subsection (d) for a specific number of ~~cancelled canceled~~ student instructional days; and

(2) each of the particular number of student instructional days requested to be waived under this subsection was ~~cancelled~~

1 **canceled** due to extraordinary circumstances.

2 (f) The department shall develop guidelines for school corporations
3 to apply for a waiver under subsection (e).

4 **(g) Beginning with the 2007-2008 school year, student**
5 **instructional days for a school year may not begin before**
6 **September 1. This subsection does not apply to a school that**
7 **conducts student instructional days (other than during summer**
8 **school) during a school term in twelve (12) consecutive months."**

9 Renumber all SECTIONS consecutively.

(Reference is to ESB 326 as printed April 1, 2005.)

Representative Lehe